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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/892,525	06/28/2001	John D. Barnard	2908.P3	4923
5514	7590	11/24/2004		
FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112				
			EXAMINER JAROENCHONWANIT, BUNJOB	
			ART UNIT 2143	PAPER NUMBER

DATE MAILED: 11/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary	Application No. 09/892,525	Applicant(s) BARNARD ET AL.	
	Examiner Bunjob Jaroenchonwanit	Art Unit 2143	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 June 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-112 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-112 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>6/28/01, 7/20/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-8, 10-11, 14-15, 19-23, 28-36, 38-39, 42-43, 47-51 56-64, 66-67, 70-71, 75-79, 84-92, 94-95, 98-99, 103-107 and 112 are rejected under 35 U.S.C. 102(b) as being anticipated by White et al (EP 952513).

3. Regarding claims 1, 28-29, 56-57, 84-85 and 112, White discloses a method, system and computer programs record in computer readable mediums (a “system” hereinafter), for managing a plurality of printing devices connected on a network, said method comprising the steps of: detecting a printing device connected on the network; requesting information from the detected printing device; receiving the requested information from the printing device; and creating a print queue for the printing device based on the received information (abstract, Fig. 1).

4. Regarding claims 2-8, 10-11, 14-15, 19-23, 30-36, 38-39, 42-43, 47-51, 58-64, 66-67, 70-71, 75-79, 86-92, 94-95, 98-99 and 103-107, White discloses the system further includes, the detecting is detected by detecting an address assignment message sent between an address server and the printing device over the network (White’s system also employs DHCP standard, White teaches printer driver, i.e., type and capability of printer included, is transmitted to printing system, paragraphs 13, 18).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 9, 37, 65 and 93 are rejected under 35 U.S.C. 103(a) as being unpatentable over White et al, as applied to claim 1 above and Clough (US. 6,820,124).

7. Regarding claims 9, 37, 65 and 93, White discloses the invention substantially, as claimed, as described in claim1, but it is silent to using SNMP for communicating message. However, the SNMP are standard for communicating message with a network, specifically it has been utilized in particular for communicating message between printer and its host, the aforesaid is evidently taught in Clough. Thus, including the standard, which had readily been used in the same field of endeavor, for similar purpose, would have been obvious to one of ordinary skilled in the art. Because, adopting the idea of using SNMP communication, as suggested in Clough, would be a matter of simplistic in increasing communication channels, to enhance application flexibility, in which ordinary artisan would look for, before reinvent a new way of communication.

8. Claims 12-13, 16-18, 24-27, 40-41, 44-46, 52-55, 68-69, 72-74, 80-83, 96-97, 100-102 and 108-111 are rejected under 35 U.S.C. 103(a) as being unpatentable over White et al, as applied to claim 1 above and Lee (US. 6,628,413).

9. Regarding claims 16-18, 24-27, 44-46, 72-74 and 100-102, White discloses the invention substantially, as claimed, as described in claim 1, but it is silent to, creating a print queue web

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page containing a plurality of links representing each of the print queue entries in the print queue configuration database. However, the same concept is widely utilized in an analogous art, for example Lee teaches JAVA printer, which publishes printer queue on a web page to enable clients to control printer (Lee, Fig. 3). Thus associated printer queue with web page is nothing new, but rather would have been obvious to one of ordinary skill in the art at the time of the invention was made to do so, for the same given rational in the rejection of claims 12-13, above.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bunjob Jaroenchonwanit whose telephone number is (571) 272-3913. The examiner can normally be reached on 8:00-17:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Bunjob Jaroenchonwanit
Primary Examiner
Art Unit 2143

/bj

11/20/04